
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ROBERT E. MILLER,

Petitioner,

versus

WARDEN, USP BEAUMONT,

Respondent.

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CIVIL ACTION NO. 1:24-CV-267

**MEMORANDUM ORDER OVERRULING PETITIONER’S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Petitioner Robert E. Miller, an inmate confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends denying and dismissing the above-styled petition.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings and all available evidence. Petitioner filed objections to the magistrate judge’s Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the court concludes petitioner’s objections are without merit. Petitioner disagrees with the report, but his arguments are contradicted by the record in the underlying criminal case. *See United States v. Miller*, No. 1:97cr496 (N.D. Ga. Oct. 8, 1998). As detailed in the Report, petitioner has challenged his conviction and sentence multiple times over

the years using various avenues for relief. Petitioner has not shown “unusual circumstances make it impossible or impracticable to seek relief in the sentencing court.” *See Jones v. Hendrix*, 599 U.S. 465, 478 (2023). Therefore, the petition should be denied and dismissed.

ORDER

Accordingly, petitioner’s objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge’s recommendation.

SIGNED at Beaumont, Texas, this 30th day of May, 2025.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE